



Entered on Docket
March 18, 2010

A handwritten signature in black ink, appearing to read "Mike K. Nakagawa".

Hon. Mike K. Nakagawa
United States Bankruptcy Judge

WILDE & ASSOCIATES

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US Bank National Association, as Trustee for Home Equity Pass- Through Certificates Series HEAT
2006-5
09-77569

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In Re:

Francisco Javier Garcia

Debtor

BK-09-30159-MKN

Date: February 24, 2010
Time: 1:30

Chapter 13

ORDER VACATING AUTOMATIC STAY

1 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the
2 above-entitled bankruptcy proceedings is immediately vacated and extinguished for all purposes as to
3 Secured Creditor US Bank National Association, as Trustee for Home Equity Pass- Through
4 Certificates Series HEAT 2006-5, its assignees and/or successors in interest, of the subject property,
5 generally described as 3106 Cummings Court, North Las Vegas, NV 89030, and legally described as
6 follows:
7

8 Lot Seventy-Three (73) in Block Three (3) of MOUNTAIN SHADOWS UNIT NO. 8, as shown
9 by map thereof on file in Book 12 of Plats, Page 99, in the Office of the County Recorder of
10 Clark County, Nevada.

11 IT IS FURTHER ORDERED that in the event a Notice of Default has been recorded against
12 this particular property there can be no sale for sixty (60) days, allowing the Debtor(s) to submit a copy
13 of this Order to the State of Nevada, Foreclosure Mediation Program, and the Order will be construed
14 as an agreement between the Secured Creditor and Debtor(s) that they have voluntarily agreed to a
15 mediation under the Nevada State Foreclosure Mediation Program pursuant to Rule 6 of said program.
16 The necessary information can be accessed at <http://www.nevadajudiciary.us/>.

17 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give
18 Debtor at least five business days' notice of the time, place and date of sale.
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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Secured Creditor hereby
2 withdraws its secured Proof of Claim filed in this matter. The Secured Creditor shall notify the Trustee of
3 the completion of the foreclosure sale. If applicable, Secured Creditor may thereafter amend its secured
4 Proof of Claim to an unsecured Proof of Claim no later than forty-five (45) days after the foreclosure sale.
5

6 DATED this _____ day of _____, 2010.

7 Submitted by:

8 **WILDE & ASSOCIATES**

9 By:  Gregory L. Wilde, Esq. _____

10 **Gregory L. Wilde, Esq.**

11 Attorney for Secured Creditor

12 212 South Jones Boulevard

13 Las Vegas, Nevada 89107

14
15
16 APPROVED / DISAPPROVED

17 By: _____

18 Sanchez Law Group

19 900 South Fourth St.

20 Suite 100

21 Las Vegas, NV 89101

22 Attorney for Debtor(s)

23 Nevada Bar No: _____

24 APPROVED / DISAPPROVED

25 By: _____

26 Rick A. Yarnall

701 Bridger Avenue #820

Las Vegas, NV 89101

Chapter 13 Trustee

1 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

2 ☐ The court waived the requirements of LR 9021.

3 ☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.

4 ☐ No parties appeared or filed written objections, and the trustee is the movant.

5 ☒ This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a
6 copy of this proposed order to all counsel who appeared at the hearing, and any trustee
7 appointed in this case, any unrepresented parties who appeared at the hearing, and each has
8 approved or disapproved the order, or failed to respond, as indicated below:

9 Debtor's counsel:

10 ☐ approved the form of this order ☐ disapproved the form of this order

11 ☐ waived the right to review the order and/or ☒ failed to respond to the document

12 ☐ appeared at the hearing, waived the right to review the order

13 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

14 Trustee:

15 ☐ approved the form of this order ☐ disapproved the form of this order

16 ☐ waived the right to review the order and/or ☒ failed to respond to the document

17 ☐ This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all
18 counsel who appeared at the hearing, and any trustee appointed in this case any unrepresented
19 parties who appeared at the hearing, and each has approved or disapproved the order, or failed to
20 respond, as indicated below.

21 Debtor's counsel:

22 ☐ approved the form of this order ☐ disapproved the form of this order

23 ☐ waived the right to review the order and/or ☐ failed to respond to the document

24 ☐ appeared at the hearing, waived the right to review the order

25 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

26 Trustee:

☐ approved the form of this order ☐ disapproved the form of this order

☐ waived the right to review the order and/or ☐ failed to respond to the document

☐ I certify that I have served a copy of this order with the motion, and no parties appeared or filed
written objection.

Submitted by:

/s/ Gregory L. Wilde, Esq.

Gregory L. Wilde, Esq.

Attorney for Secured Creditor